

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

July 15, 2009

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, July 15, 2009, 5:30 p.m. at the Campbell County Fiscal Court offices at 24 West Fourth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE:
STEVE PENDERY

COUNTY COMMISSIONERS:
DAVID OTTO
KENNETH RECHTIN
MARK HAYDEN

Robert Horine	County Administrator
Melissa Williams	Director of Administration
James A. Daley	County Attorney
Paula Spicer	Fiscal Court Clerk
John Austin	Government Relations Manager
Chief Keith Hill	Campbell County Police Department
Jim Seibert	Fiscal Director

The meeting was called to order at 5:30 p.m. by Judge Pendery.

Judge Pendery asked for a moment of silence, followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes from the regular Fiscal Court Meeting held on July 1, 2009 were presented. Motion was made by Commissioner Otto, seconded by Commissioner Rechtin, to approve the minutes. All voted "AYE" and the motion passed unanimously.

Chuck Kreimer, Crime Stoppers, stated that every year a report is made on how Crime Stoppers uses the money given to it by the courts. He distributed a written report to the Fiscal Court containing the number and types of crimes solved, a record of rewards paid out, and other statistical and financial information. Since Crime Stoppers was organized in 1980, they have paid over \$1.5 million in rewards to tipsters. A new feature to be introduced in the next couple of months is a text messaging system. This automated system will run 24 hours, 7 days a week and will instantly computerize any messages received. Mr. Kreimer stated that the average payment per tipster over the last 30 years is \$246. Mr. Kreimer announced that a fundraiser for Crime Stoppers will be on August 23, 2009 at Jim and Jack's on the River, and the next event will be their awards breakfast. Last year the Campbell County Police Color Guard participated

in the awards breakfast. In the past, several Campbell County Police Officers have received awards for Officer of the Year. Mr. Kreimer advised that Crime Stoppers has received about \$1,600 from Campbell County courts. He ended by expressing his appreciation for the Fiscal Court's support.

Judge Pendery invited any guests to address the Fiscal Court. Karen Bell, a resident of Campbell County, requested that the Fiscal Court support a comprehensive non-smoking or smoke-free Northern Kentucky for all patrons and workers. She stated that most people recognize that smoking is associated with various kinds of cancers and heart disease. Ms. Bell stated that she is a former smoker who quit when a friend who had never smoked, but was around smokers, died. She stated that people may make choices that affect their own health, but by allowing smoking environments, somebody else is making a choice for others. Ms. Bell thanked the Fiscal Court for their attention.

J. R. Roth, citizen, stated that Tuesday's newspaper reported that the City of Ryland Heights was giving its residents a 50% discount on property taxes if paid by October 30. He thinks that it would be a good idea for Campbell County to do the same thing. He noticed an item on the agenda regarding Sanitation District No. 1. Being from the County, he doesn't know what the Sanitation District does for him or what the agreement with the County is about. He stated that where he lives the water goes into the state highway straight to the river, so there are no services provided by the Sanitation District to him. Mr. Roth stated that he knows that the County gives money to TANK and to OKI. He recently saw an ad for OKI on a TANK bus, and he wonders if the County is paying for ads on its own buses. Judge Pendery stated that he would talk to Mr. Roth after the meeting.

Melissa Williams presented new business beginning with a first reading of Ordinance O-07-09 which was read by title and summary given. O-07-09 authorizes the issuance of Industrial Building Revenue Refunding and Improvement Bonds, Series 2009 (Brighton Properties, Inc. Project) of the County of Campbell, Kentucky, in an aggregate principal amount not to exceed \$2,400,000, the proceeds of which shall be loaned to Brighton Properties, Inc. to (I) finance the acquisition and installation of equipment and (II) refund outstanding obligations which in turn were issued to refinance the acquisition, construction, installation and equipping of facilities, all of the foregoing being suitable for use as health care and related facilities and as facilities in furtherance of the educational purposes of Brighton Properties, Inc. and Brighton Center, Inc.; providing for the pledge of revenues for the payment of such bonds; authorizing a loan agreement appropriate for the protection and disposition of such revenues and to further secure such bonds; authorizing a bond purchase agreement, tax regulatory agreement, mortgage and assignments; and authorizing other actions in connection with the issuance of such bonds. Ms. Williams stated that the bonds will be used to refinance outstanding bonds and for acquisition and installation of a new phone system. Dirk Bedarff, Peck Shaffer & Williams, bond counsel, explained that there is no obligation by the Campbell County Fiscal Court in connection with these bonds. This issue is similar to action taken earlier this year by the Fiscal Court for Main Street Baptist Church. Commissioner Rechlin asked who issued the original bonds, and why are they not handling the refunding issue. Mr. Bedarff stated that the bonds were originally issued by the City of Newport, but Brighton Properties requested that the refunding go through Campbell County. Commissioner Rechlin requested that staff make sure that relations are

smooth between Brighton Center and the City of Newport. Dirk Bedarff advised that they have advertised the required public hearing to be held just prior to the next Fiscal Court meeting.

Robert Horine requested that the next item on the agenda, Resolution R-98-09, regarding the storm water transfer agreement with the Sanitation District, be tabled to a later meeting. The Sanitation District No. 1 requested that the Fiscal Court delay action on this item so that they can clarify some of the wording in related documents.

Ms. Williams then presented Resolution R-99-09 which was read by title and summary given. R-99-09 authorizes entering into a cost reimbursement agreement with the Northern Kentucky Area Development District (NKADD) for operation of the Campbell County Senior Center for Fiscal Year 2010. The Senior Center was awarded a grant in the amount of \$80,215.00 from the NKADD for operating costs which requires \$12,032.00 matching funds from the County. Commissioner Rehtin made a motion to adopt R-99-09, seconded by Commissioner Otto. Robert Horine pointed out that this is about a \$20,000.00 increase over what the County received last year. All voted "AYE" and the motion passed.

Resolution R-100-09 was read by title and summary given. R-100-09 authorizes the County Judge/Executive to execute contracts for the purchase of furniture for the new County Administration Building. Melissa Williams explained that after she sent the Fiscal Court information regarding the furniture purchase last week, she discovered that some items had been omitted, increasing the amount by about \$8,000.00 bringing the total cost to \$590,761.72. This is still under the original estimate of \$619,798.85. She pointed out that they are purchasing furniture for the entire building except for the Health Department. Commissioner Rehtin made a motion to adopt R-100-09, seconded by Commissioner Otto. Commissioner Hayden advised that one of the vendors is a client of his law firm; therefore he recused himself from voting on the resolution. Robert Horine stated that this is the culmination of a two-year effort in working on the design of the building and addressing the needs of all of the occupants of the building. He expressed his appreciation of Ms. Williams' efforts. Judge Pendery, Commissioner Otto and Commissioner Rehtin voted "AYE" and the motion passed. Commissioner Hayden did not vote.

A motion was requested to authorize staff to advertise a Request for Proposals from energy service providers for an energy savings performance contract. Ms. Williams explained that this is the next step in exploring energy saving measures for the County. Staff will evaluate the potential saving measures and contractual terms, and make a recommendation to the Fiscal Court. Motion was made by Commissioner Rehtin, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to accept a letter of intention to retire from Gary Brocker, Mechanic Level III at the Campbell County Road Department, effective July 31, 2009. Motion was made by Judge Pendery, seconded by Commissioner Rehtin. Judge Pendery congratulated Mr. Brocker on his retirement, but stated that they are sorry to lose him. All voted "AYE" and the motion passed.

A motion was requested to authorize staff to advertise and interview for the position of Mechanic at the Campbell County Road Department. Motion was made by Judge Pendery, seconded by Commissioner Otto. Commissioner Rehtin suggested that they look at alternatives such as a contractual arrangement with an outside vendor, or an agreement with another city or local government. Robert Horine stated that this year whenever there is a vacant position, staff will explore all options to determine if there is a more cost effective way at delivering the service and possibly not filling the position. He discussed the options with Ken Schultz, Road Department Director, and Mr. Schultz recommends that the County is best served by maintaining the two mechanic positions. The two mechanics stay busy full-time servicing and maintaining equipment; he cited several examples of how they've saved time and money by doing repairs in-house. Mr. Horine pointed out that both mechanics are diesel mechanics as most of the equipment is diesel-powered. He stated that they have also thought about offering our services to other agencies to cover some of our costs; however, the mechanics are busy and when they are not they help out in other County departments. Commissioner Rehtin stated that personnel costs are one of the County's biggest expenses. He wondered if all personnel have to be hired under CERS provisions. Commissioner Hayden suggested the possibility of consolidating mechanic services with Kenton County which would reduce the number of mechanics employed by both counties. Mr. Horine advised that Kenton County has a large maintenance operation and performs maintenance for several cities in Kenton County, including work on police cruisers, which led them to build a larger facility. If Campbell County would take on work for other cities, they would need to expand their facilities. In addition, if they partnered with Kenton County, the Campbell County vehicles may not get priority and be disabled for a longer period of time. Commissioner Otto stated that if you don't do the work yourself, you lose control over how quickly and efficiently the work gets done. Mr. Horine stated that the Police Department has an arrangement with an outside vendor who provides prompt and reasonable service on the police vehicles. Commissioner Hayden stated that since the County is getting good cost-effective service on its gasoline vehicles, maybe it should explore contracting out service for its diesel vehicles as well. Chief Keith Hill stated that the County's diesel mechanics were able to repair the Police Department's generator at a reasonable cost. Robert Horine will talk to Ken Schultz again about various options. He requested permission to go ahead and advertise for the position. All voted "AYE" and the motion passed.

A motion was requested to increase the compensation of Eric Schmidt, Campbell County Patrol Officer, from Grade 3, 11C (\$20.0326/hour) to Grade 4, 12A (\$20.4973/hour) effective July 15, 2009 in accordance with the current FOP agreement. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Ms. Williams then presented appointments for consideration. A motion was requested to reappoint Julie Hopkins to the Tri-ED Board of Directors for a three-year term effective July 1, 2009 through June 30, 2012. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was requested to reappoint Hal M. Wendling to the Tri-ED Board of Directors for a three-year term effective July 1, 2009 through June 30, 2012. Ms. Williams recalled that Mr. Wendling was appointed earlier this year to fill the unexpired term of Eric Steinman and Mr.

Wendling is willing to continue to serve on the Board. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

A motion was requested to reappoint William Donnermeyer to the Northern Kentucky Convention and Visitors Commission for a three-year term effective August 1, 2009 through July 31, 2012. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was requested to reappoint Senator Katie Stine to the Northern Kentucky Convention and Visitors Commission for a three-year term effective August 1, 2009 through July 31, 2012. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed. Judge Pendery stated that it is helpful to have past and present legislators on the Board because much of the work that the visitors bureau does and the authorizations that they require are sensitive to legislative activity. He stated that it would be easy to argue that this is a tax that could be eliminated; however the convention bureaus make the state a lot of money by attracting people to the area and creating jobs.

A motion was requested to reappoint Angela Siddall to the Campbell County Library Board of Trustees for a four-year term effective October 1, 2009 through September 30, 2013. Motion was made by Judge Pendery, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

A motion was requested to reappoint Rebecca Kelm to the Campbell County Library Board of Trustees for a four year term effective October 1, 2009 through September 30, 2013. Motion was made by Judge Pendery, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Commissioner Rehtin stated that he spoke to Jim Seibert about a discount on County taxes like Ryland Heights is providing for their City taxes. He asked Mr. Seibert how such a discount would affect the County's revenue. Mr. Seibert stated that it could be close to \$3 million if everybody took advantage of the discount. He stated that at this point the County is struggling with a budget deficit now. Mr. Seibert stated that the County only has 3-4% delinquency rate on its tax bills; most people pay their taxes within the 30 days to get a 5% discount. He doesn't see how the County could afford to give a 50% discount. Commissioner Rehtin wondered how the City of Ryland Heights is able to discount their taxes by 50%. Robert Horine stated the he believes that Ryland Heights recently got a windfall on their insurance premium tax collections. It was determined that if the County gave a discount on its taxes, they would in turn be decreasing funds to various taxing districts, including schools, library, etc.

Commissioner Otto stated that there are rumors that the Fiscal Court is going to sell Lakeside Terrace and the Senior Center, and that the County is building a new center in Cold Spring. He received two phone calls about this over the weekend. Commissioner Rehtin agreed that some of the senior citizens are anxious about the Center and Lakeside. He is glad that they held a meeting at Lakeside to address the concerns. Judge Pendery stated that they had a big crowd at the meeting. The 40-year mortgage on the building will be paid off in August which has led to discussions about the future of the building. He stated that they assured the residents that the

building will continue to serve as senior citizen residences for at least the next two years due to notice requirements. With the mortgage being paid off, the County has more freedom to do what they will with the building. However, with 24 vacancies, the County has less money coming in. He stated that the residents were satisfied that the County would do its best to provide some improvements to the property. Robert Horine stated that the residents were relieved to know that the building had not been sold. He stated that under HUD regulations the resident's first lease is for a year, but thereafter it is on a month to month basis, and many of the residents were not aware of that until recently. Judge Pendery stated that the residents did have some suggestions on how the County could attract more tenants. The residents told them that the students from the nearby Northern Kentucky University dormitories are no problem. He stated that Campbell County's Senior Center is nationally recognized. Mr. Horine stated that they advised the residents that they will be kept informed of any decisions regarding the building. He explained that the recently renovated Grand Towers is public housing and is eligible for different kinds of funding.

Judge Pendery announced that the Mayors Meeting will be held on July 28, 2009, at Northern Kentucky University in the new Student Union; parking arrangements have been made for attendees. Robert Horine advised that attendees will park in the Kenton Garage just opposite the Student Union and parking tickets will be validated. Commissioner Hayden suggested that a sign be put up regarding where to park and to bring tickets for validation.

Judge Pendery reminded everyone of the Backroads Farm Tour held on Saturday, July 18, 2009, from 9:00 to 5:00; there are 16 stops on the self-guided tour.

Jim Seibert presented Resolution R-96-09 which was read by title and summary given. R-96-09 authorizes the County Judge/Executive to execute a contract with the Ohio-Kentucky-Indiana Regional Council of Governments to provide services to the Campbell County Fiscal Court for Fiscal Year 2010. He advised that the cost of the contract is \$28,723.00. Commissioner Hayden made a motion to adopt R-96-09, seconded by Commissioner Otto. All voted "AYE" and the motion passed.

Resolution R-94-09 was read by title and summary given. R-94-09 adopts guidelines for the 2009-2010 Northern Kentucky Area Development District Funds Project. Mr. Seibert explained that there is \$19,140.00 in capital improvement funds available. The County must follow certain procedures for advertising and evaluating projects. Commissioner Rehtin made a motion to adopt R-94-09, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

Resolution R-95-09 was read by title and summary given. R-95-09 authorizes renewal of a license and customer support agreement with ACS Governmental Systems, Inc. for payroll and business license tax software programs. Mr. Seibert advised that the County needs to extend this contract until its new software is put in place. Commissioner Rehtin made a motion to adopt R-95-09, seconded by Judge Pendery. Commissioner Rehtin asked when the new software would be available. Mr. Seibert stated that they were told that it would be available in July, but they are continuing to put pressure on the company to get it installed. All voted "AYE" and the motion passed.

Resolution R-97-09 was read by title and summary given. R-97-09 designates Mr. James Seibert as the applicant agent for the purpose of obtaining certain federal financial assistance under the disaster relief act. Mr. Seibert stated that this is needed to get assistance for expenses incurred from the ice storm earlier in the year. The previous designation from last September's wind storm is no longer valid. Commissioner Otto made a motion to adopt R-97-09, seconded by Judge Pendery. All voted "AYE" and the motion passed.

Mr. Seibert then requested a motion to approve the claims and supplemental claim as presented for July 15, 2009. County Attorney James Daley stated that he has reviewed the claims and all appear appropriate. Motion was made by Commissioner Otto, seconded by Commissioner Hayden. All voted "AYE" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Rehtin made a motion to adjourn, seconded by Judge Pendery. All voted "AYE" and the meeting adjourned at 6:35 p.m.

Attachments:

Ordinance O-07-09	Industrial Revenue Bonds for Brighton Properties, Inc.
Resolution R-99-09	Agreement with Northern Kentucky Area Development District
Resolution R-100-09	Purchase of furniture for new County Administration Building
Resolution R-96-09	Contract with OKI Regional Council of Governments
Resolution R-94-09	Adopt guidelines for N. Ky. Area Development District Funds Project
Resolution R-95-09	Agreement with ACS Government Systems
Resolution R-97-09	Designate James Seibert as Applicant Agent for Disaster Relief Assistance

Claims and Supplemental Claim of July 15, 2009

Approved:

STEVE PENDERY
Campbell County Judge/Executive

Attest:

Paula K. Spicer
Fiscal Court Clerk